

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF NEBRASKA**

In re Dimensions In Senior Living, LLC, <sup>1</sup>	)	Chapter 11
Debtor.	)	Case No.
In re Village Ridge, LLC,	)	Chapter 11
Debtor.	)	Case No.
In re Village Place, LLC,	)	Chapter 11
Debtor.	)	Case No.
In re WB Real Estate Of IOLA, LLC,	)	Chapter 11
Debtor.	)	Case No.
In re Humboldt Assisted Living LLC,	)	Chapter 11
Debtor.	)	Case No.
In re: Wilcox Properties Of Columbia, LLC,	)	Chapter 11
Debtor.	)	Case No.
In re Wilcox Properties Of Fort Calhoun, LLC,	)	Chapter 11
Debtor.	)	Case No.

**DEBTORS' MOTION FOR ENTRY OF AN ORDER (I) DIRECTING JOINT ADMINISTRATION  
OF CHAPTER 11 CASES AND (II) GRANTING RELATED RELIEF**

Dimensions In Senior Living, LLC, Village Ridge, LLC dba Village Ridge Assisted Living, Village Place, LLC dba Village Place Independent Living, WB Real Estate Of Iola, LLC dba Greystone Residential Care, Humboldt Assisted Living LLC dba Arrowood Lane Residential Care, Wilcox Properties Of Columbia, LLC dba Candlelight Lodge, and Wilcox Properties Of Fort Calhoun, LLC dba Autumn Pointe Assisted Living (collectively, the “Debtors”), as debtors and debtors in possession in the above-captioned chapter 11 cases (collectively, the “Chapter 11 Cases”), request entry of an order authorizing and directing joint administration of the Chapter 11 Cases and the use of a consolidated caption pursuant to section 105(a) of title 11 of the United States Code, (the “Bankruptcy Code”), Rule 1015(b) of the Federal Rules of Bankruptcy Procedure, (the “Bankruptcy Rules”) and Rule 9013-1 of the Nebraska Rules of Bankruptcy Procedure (the “Local Rules”). In support of this motion (the “Motion”), Debtors respectfully represent as follows:

**JURISDICTION AND VENUE**

1. On November 21, 2022, (the “Petition Date”), each Debtor filed a voluntary petition for relief under chapter 11 of the Bankruptcy Code. This Court has jurisdiction over this case pursuant to 28 U.S.C. § 1334 and venue is proper pursuant to 28 U.S.C. §§ 1408 and 1409. By Nebraska General Rule 1.5 of the United States District Court for the District of Nebraska, the District Court has referred all bankruptcy cases

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<sup>1</sup> Dimensions In Senior Living, LLC, Tax I.D. No. 76-0771058, VILLAGE RIDGE, LLC, Tax I.D. No. 20-3042744, VILLAGE PLACE, LLC, Tax I.D. No. 81-2042780, WB REAL ESTATE OF IOLA, LLC, Tax I.D. No. 46-5548614, HUMBOLDT ASSISTED LIVING LLC, Tax I.D. No. 48-1221950, WILCOX PROPERTIES OF COLUMBIA, LLC, Tax I.D. No. 43-1934089, WILCOX PROPERTIES OF FORT CALHOUN, LLC, Tax I.D. No. 20-5822304

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to the Bankruptcy Court for initial determination, as permitted by 28 U.S.C. § 157(a). This is a core proceeding pursuant to 28 U.S.C. §§ 157(b)(2)(A) and (O), and Debtor consents to entry of a final order by the Court in connection with this Application to the extent it is later determined that the Court, absent consent of the parties, cannot enter final orders or judgments in connection herewith consistent with Article III of the United States Constitution.

### **BACKGROUND**

2. Through a series of entities, Debtors own and manage a series of senior living / assisted living facilitated in Nebraska, Iowa, Missouri, and Kansas.

3. Debtor Dimensions in Senior Living, LLC (“Dimensions”) was established in September 2004, as a senior living management company, which oversees and manages the operations of Debtors. Dimensions is a family-owned operation and has always based its philosophy of care on the dignity, independence, and quality of life of the residents that it is privileged to serve. Over the years, and through a series of entities, Debtors acquired and managed a series of senior living / assisted living facilitated in Nebraska, Iowa, Missouri, and Kansas. While there is not traditional holding company, each of Debtors have common owners and managers.

4. From an operational standpoint, Dimensions is responsible for the operations, licensure and management of assisted living, memory care and independent senior apartments owned by the other Debtors. More specifically, Dimensions operates, pursuant to a written management agreement, the following senior living communities:

- Humboldt Assisted Living, LLC, DBA: Arrowood Lane Residential Care, Humboldt, KS
- Wilcox Properties of Fort Calhoun, LLC, DBA: Autumn Pointe, Fort Calhoun, NE
- WB Real Estate of Iola, LLC, DBA: Greystone Residential Care, Iola, KS
- Wilcox Properties of Columbia, LLC, DBA: Candlelight Lodge, Columbia, MO
- Village Ridge LLC, DBA: Village Ridge Assisted Living, Marion, IA
- Village Place, LLC, DBA: Village Place Senior Apartments, Marion, IA

5. A detailed description of the Debtors and their business, the facts and circumstances leading up to the filing of the Chapter 11 Cases, and the facts supporting this Motion are set forth in greater detail in the *Declaration of Amy Wilcox-Burns in Support of Chapter 11 Petitions and First Day Motions* (the “First Day Declaration”), filed contemporaneously herewith.

### **RELIEF REQUESTED**

6. Debtors seek entry of an order: (i) directing procedural consolidation and joint administration of the Chapter 11 Cases; and (ii) granting related relief. Debtors request that one file and one docket be maintained for all of the jointly administered cases under the case of Dimensions in Senior Living, LLC, and that the cases be administered under a consolidated caption, as follows:

In re:	)	Chapter 11
	)	
Dimensions In Senior Living, LLC, et al.	)	Case No.
	)	
Debtors.	)	(Jointly Administered)

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7. Debtors further request that the Court order that the foregoing caption satisfies the requirements set forth in section 342(c)(1) of the Bankruptcy Code.

8. Debtors also request that an entry, substantially similar to the following, be entered on the docket of each of Debtors other than Dimensions In Senior Living, LLC, to reflect the joint administration of the Chapter 11 Cases:

An order has been entered in accordance with Rule 1015(b) of the Federal Rules of Bankruptcy Procedure and Rule 1015-1 of the Local Rules for the United States Bankruptcy Court for the District of Nebraska directing joint administration for procedural purposes only of the Chapter 11 Cases of: Village Ridge, LLC, Village Place, LLC, WB Real Estate Of Iola, LLC, Humboldt Assisted Living LLC, Wilcox Properties Of Columbia, LLC, and Wilcox Properties Of Fort Calhoun, LLC.

### **BASIS FOR RELIEF REQUESTED**

9. Bankruptcy Rule 1015(b) provides, in pertinent part, that “[i]f . . . two or more petitions are pending in the same court by or against . . . a debtor and an affiliate, the court may order a joint administration of the estates.” Fed. R. Bankr. P. 1015. The seven (7) Debtor entities that commenced the Chapter 11 Cases are “affiliates” as that term is defined in section 101(2) of the Bankruptcy Code. Accordingly, the Bankruptcy Code and Bankruptcy Rules authorize the Court to grant the relief requested herein.

10. Given the integrated nature of Debtors’ management and ownership, joint administration of the Chapter 11 Cases will provide significant administrative convenience without harming the substantive rights of any party in interest. Many of the motions, hearings, and orders in the Chapter 11 Cases will affect each Debtor entity. The entry of an order directing joint administration of the Chapter 11 Cases will reduce fees and costs by avoiding duplicative filings and objections. Joint administration also will allow the U.S. Trustee and all parties in interest to monitor the Chapter 11 Cases with greater ease and efficiency.

11. Moreover, joint administration will not adversely affect Debtors’ respective constituencies because this Motion seeks only administrative, not substantive, consolidation of Debtors’ estates. Parties in interest will not be harmed by the relief requested; instead, parties in interest will benefit from the cost reductions associated with the joint administration of the Chapter 11 Cases. Accordingly, Debtors submit that the joint administration of the Chapter 11 Cases is in the best interests of their estates, their creditors, and all other parties in interest.

12. The process of joint administration “has been referred to as merely a creature of procedural convenience since it avoids the inevitable duplication of effort that would result if cases involving related debtors were to separately proceed in bankruptcy.” *In re Farmers and Feeders, Inc.*, 1994 WL 1887489 (Bankr. D.N.D. 1994). Along these lines, joint administration is generally non-controversial, and courts in this jurisdiction and others routinely order joint administration in cases with multiple related debtors. *See, e.g., In re DRC III, LLC et al.*, 21-80011-TLS (Bankr. D. Neb., Jan. 26, 2021); *In re Eat Fit Go Healthy Foods, LLC*, 18-81127-TLS (Bankr. D. Neb., Aug. 3, 2018) (granting joint administration); *In re Brodkey Bros.*, No. 13-80203-TLS (Bankr. D. Neb., Feb. 5, 2013) (same); *In re Premium Protein Prods., LLC*, No. 09-43291-TLS (Bankr. D. Neb., Nov. 27, 2009).

WHEREFORE, Debtors respectfully request that the Court enter an order authorizing and directing joint administration of the Chapter 11 Cases and the use of a consolidated caption; and granting such other and further relief as is just and proper.

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Respectfully submitted,

**Dimensions In Senior Living, LLC, Village Ridge, LLC,  
Village Place, LLC, WB Real Estate Of Iola, LLC,  
Humboldt Assisted Living LLC, Wilcox Properties Of  
Columbia, LLC, and Wilcox Properties Of Fort Calhoun,  
LLC, Debtors.**

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